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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,217	12/10/2001	Tsan-Lung Chen	CHEN3307/EM	8995

23364 7590 11/21/2002

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EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 11/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,217

Applicant(s)

CHEN, TSAN-LUNG

Examiner

Dang D Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Takeshi et al. (JP 08-065948).

Regarding claim 1, Takeshi et al. show a micro vibrating motor comprising:

- A motor (Figures 1-6),
- One end of said motor having a rotary shaft (4) disposed thereon;
- A weight block (2), said weight block having a coupling portion (hole for shaft 4) provided thereon to insertably receive said rotary shaft such that, after said weight block is mounted on said rotary shaft, said weight block on said rotary shaft is in an offset state, a weld portion (5) being disposed at an edge of said coupling portion that is connected to said rotary shaft so as to enable said weight block and said rotary shaft to be coupled together.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al.

Regarding claim 2, Takeshi et al. show all of the limitations of the claimed invention except for said motor having a size less than 6 mm, and said rotary shaft having a diameter less than 1 mm.

However, it would have been an obvious matter of design choice to make said motor with a size less than 6 mm, and said rotary shaft with a diameter less than 1 mm, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

5. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al. in view of Kuyama et al.

Regarding claim 3, Takeshi et al. show all of the limitations of the claimed invention including said weight block being fan-shaped except for said coupling portion being provided on a relatively small curved surface of said weight block, said weld portion being elongated and being provided at the edge of said coupling portion on said curved surface and connected to said rotary shaft, said elongated weld portion enabling said weight block and said rotary shaft to be coupled together.

Kuyama et al. show the weld portion (42) being elongated for the purpose connecting the eccentric weight.

Since Takeshi et al. and Kuyama et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide said coupling portion on a relatively small curved surface of said weight block, said weld portion being elongated and being provided at the edge of said coupling portion on said curved surface and connected to said rotary shaft, said elongated weld portion enabling said weight block and said rotary shaft to be coupled together as taught by Kuyama et al. for the purpose discussed above.

Regarding claim 4, it is noted that Takeshi et al. and Kuyama et al., if combined, also show said weight block being fan-shaped, and said coupling portion being a through hole that extends from one end of said weight block to the other end and that has a diameter dimensioned to receive said rotary shaft, said weld portion being generally curved and being provided on one end of said coupling portion that is distal from said motor and that has an edge connected to said rotary shaft, said curved weld portion enabling said weight block and said rotary shaft to be coupled together.

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al. in view of Tuneblom.

Regarding claim 3, Takeshi et al. show all of the limitations of the claimed invention including said weight block being fan-shaped except for said coupling portion being provided on a relatively small curved surface of said weight block, said weld

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portion being elongated and being provided at the edge of said coupling portion on said curved surface and connected to said rotary shaft, said elongated weld portion enabling said weight block and said rotary shaft to be coupled together.

Tuneblom shows the weld portion (18) being elongated for the purpose connecting the eccentric weight.

Since Takeshi et al. and Tuneblom are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide said coupling portion on a relatively small curved surface of said weight block, said weld portion being elongated and being provided at the edge of said coupling portion on said curved surface and connected to said rotary shaft, said elongated weld portion enabling said weight block and said rotary shaft to be coupled together as taught by Tuneblom for the purpose discussed above.

Regarding claim 4, it is noted that Takeshi et al. and Tuneblom, if combined, also show said weight block being fan-shaped, and said coupling portion being a through hole that extends from one end of said weight block to the other end and that has a diameter dimensioned to receive said rotary shaft, said weld portion being generally curved and being provided on one end of said coupling portion that is distal from said motor and that has an edge connected to said rotary shaft, said curved weld portion enabling said weight block and said rotary shaft to be coupled together.

Information on How to Contact USPTO

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
November 17, 2002

DL

Dang D Le